

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:

AMYRIS, INC., *et al.*,

Debtors.¹

Chapter 11

Case No. 23-11131 (TMH)

(Jointly Administered)

**NOTICE OF AMENDED² AGENDA FOR HEARING ON DECEMBER 12, 2023 AT 10:00
A.M. (PREVAILING EASTERN TIME³) BEFORE THE HONORABLE THOMAS M.
HORAN IN THE U.S. BANKRUPTCY COURT FOR THE DISTRICT OF DELAWARE**

**This hearing will be conducted via Zoom only before the Honorable Thomas M. Horan, in
the United States Bankruptcy Court for the District of Delaware, 824 Market Street, 5th
Floor, Courtroom #5. All parties are expected to attend via Zoom.**

All participants must register at the Zoom link below.

<https://debuscourts.zoomgov.com/meeting/register/vJItcOusrzMsHsg6EJOBvsTsXx1viAuEm-Y>

RESOLVED MATTERS

1. Debtors' Application of the Debtors for Entry of an Order Authorizing the Retention and Employment of Back Bay Management Corporation and its Division, the Michel-Shaked Group, as Expert Consultant Effective as of October 31, 2023 [Filed November 17, 2023, Docket No. [749](#)].

Response Deadline: December 1, 2023 at 4:00 p.m. [ET].

Responses Received: None.

Related Documents:

- a. Affidavit of Service [Filed November 21, 2023, Docket No. [762](#)].
- b. Certificate of No Objection Regarding Debtors' Application of the Debtors for Entry of an Order Authorizing the Retention and Employment of Back Bay Management Corporation and its Division, the Michel-Shaked Group, as Expert Consultant Effective as of October 31, 2023 [Filed December 6, 2023, Docket No. [834](#)].

¹ A complete list of each of the Debtors in these Chapter 11 Cases may be obtained on the website of the Debtors' claims and noticing agent at <https://cases.stretto.com/Amyris>. The location of Debtor Amyris Inc.'s principal place of business and the Debtors' service address in these Chapter 11 Cases is 5885 Hollis Street, Suite 100, Emeryville, CA 94608.

² Amended items are in **bold**.

³ All motions and other pleadings referenced herein are available online at the following web address:
<https://cases.stretto.com/Amyris>.

- c. [Signed] Order Authorizing the Retention and Employment of Back Bay Management Corporation and its Division, the Michel-Shaked Group, as Expert Consultant Effective as of October 31, 2023 [Filed December 7, 2023, Docket No. [844](#)].

Status: This matter has been resolved.

2. Debtors Application for Entry of an Order (A) Authorizing the Employment and Retention of Gordon Rees Scully Mansukhani, LLP as Special Counsel Effective as of October 21, 2023 and (B) Granting Related Relief [Filed November 20 2023, Docket No. [752](#)].

Response Deadline: December 4, 2023 at 4:00 p.m. [ET].

Responses Received: None.

Related Documents:

- a. Declaration of Philip J. Gund in Support of Debtors Application for Entry of an Order (A) Authorizing the Employment and Retention of Gordon Rees Scully Mansukhani, LLP as Special Counsel Effective as of October 21, 2023 and (B) Granting Related Relief [Filed November 20 2023, Docket No. [753](#)].
- b. Affidavit of Service [Filed November 21, 2023, Docket No. [763](#)].
- c. Certificate of No Objection Regarding Debtors Application for Entry of an Order (A) Authorizing the Retention and Employment of Gordon Rees Scully Mansukhani, LLP as Special Counsel Effective as of October 21, 2023 and (B) Granting Related Relief [Filed December 5, 2023, Docket No. [851](#)].
- d. [Signed] Order Under 327(e) of the Bankruptcy Code Authorizing the Employment and Retention of Gordon Rees Scully Mansukhani, LLP as Special Counsel for the Debtors Effective as of October 21, 2023 [Filed December 6, 2023, Docket No. [825](#)].

Status: This matter has been resolved.

3. Motion for Approval of Settlement Between the Debtors and the JVN Parties [Filed November 28, 2023, Docket No. [789](#)].

Response Deadline: December 5, 2023 at 4:00 p.m. [ET].

Responses Received: None.

Related Documents:

- a. Affidavit of Service [Filed November 29, 2023, Docket No. [798](#)].
- b. Certificate of No Objection Regarding Debtors Motion to Approve Compromise under Rule 9019 Motion for Approval of Settlement Between the Debtors and the JVN Parties [Filed December 6, 2023, Docket No. [837](#)].

- c. [Signed] Order Granting Debtors' Motion for Approval of Settlement Between the Debtors and the JVN Parties [Filed December 7, 2023, Docket No. [845](#)].

Status: This matter has been resolved.

CONTINUED MATTERS:

4. Motion of Ad Hoc Cross-Holder Group for Appointment of Examiner Pursuant to 11 U.S.C. § 1104(C) [Filed November 11, 2023, Docket No. [651](#)].

Response Deadline: November 10, 2023 at 4:00 p.m. [ET]. The response deadline has been extended to December 6, 2023.

Responses Received:

- a. Debtors' Objection to the Motion of Ad Hoc Cross-Holder Group for Appointment of Examiner Pursuant to 11 U.S.C. 1104(C) [Filed December 6, 2023, Docket No. [827](#)].
- b. Joinder of the Ad Hoc Noteholder Group to Debtors' Objection to the Motion of Ad Hoc Cross-Holder Group for Appointment of Examiner Pursuant to 11 U.S.C. 1104(C) [Filed December 6, 2023, Docket No. [833](#)].

Related Documents:

- a. Amended Notice of Motion of Ad Hoc Cross-Holder Group for Appointment of Examiner Pursuant to 11 U.S.C. § 1104(C) [Filed November 1, 2023, Docket No. [657](#)].
- b. Declaration of Steven W. Golden in Support of Debtors' Objection to the Motion of Ad Hoc Cross-Holder Group for Appointment of Examiner Pursuant to 11 U.S.C. 1104(C) [Filed December 6, 2023, Docket No. [829](#)].

Status: This matter is continued to January 24, 2024 at 10:00 A.M. (ET).

MATTERS GOING FORWARD:

5. Debtors' Motion for an Order (I) Approving the Disclosure Statement; (II) Scheduling Confirmation Hearing; (III) Approving Form and Manner of Notice of Confirmation Hearing; (IV) Establishing Procedures for Solicitation and Tabulation of Votes to Accept or Reject Plan, Including (A) Approving Form and Content of Solicitation Materials; (B) Establishing Record Date and Approving Procedures for Distribution of Solicitation Materials; (C) Approving Forms of Ballots; (D) Establishing Voting Deadline for Receipt of Ballots and [E] Approving Procedures for Vote Tabulations; (V) Approving Form and Manner of Notice of Plan Releases; (VI) Establishing Deadline and Procedures for Filing Objections to Confirmation of Plan; and (VII) Granting Related Relief [Filed October 13, 2023, Docket No. [525](#)].

Response Deadline: November 14, 2023 at 5:00 p.m. [ET]. The response deadline has been extended to December 8, 2023. Replies are due by 12:00 p.m. [ET] on December 11, 2023.

Responses Received:

- a. Objection and Reservation of Rights of Lexon Insurance Company to the Debtors' Motion for an Order (I) Approving the Disclosure Statement; (II) Scheduling Confirmation Hearing; (III) Approving Form and Manner of Notice of Confirmation Hearing; (IV) Establishing Procedures for Solicitation and Tabulation of Votes to Accept or Reject Plan, Including (A) Approving Form and Content of Solicitation Materials; (B) Establishing Record Date and Approving Procedures for Distribution of Solicitation Materials; (C) Approving Forms of Ballots; (D) Establishing Voting Deadline for Receipt of Ballots and [E) Approving Procedures for Vote Tabulations; (V) Approving Form and Manner of Notice of Plan Releases; (VI) Establishing Deadline and Procedures for Filing Objections to Confirmation of Plan; and (VII) Granting Related Relief [Filed November 14, 2023, Docket No. [728](#)].
- b. Lavvan, Inc.'s Objection to Disclosure Statement [Filed November 14, 2023, Docket No. [730](#)].
- c. United States Trustee's Objection to Motion for an Order (I) Approving the Disclosure Statement; (II) Scheduling Confirmation Hearing; (III) Approving Form and Manner of Notice of Confirmation Hearing; (IV) Establishing Procedures for Solicitation and Tabulation of Votes to Accept or Reject Plan, Including (A) Approving Form and Content of Solicitation Materials; (B) Establishing Record Date and Approving Procedures for Distribution of Solicitation Materials; (C) Approving Forms of Ballots; (D) Establishing Voting Deadline for Receipt of Ballots and [E) Approving Procedures for Vote Tabulations; (V) Approving Form and Manner of Notice of Plan Releases; (VI) Establishing Deadline and Procedures for Filing Objections to Confirmation of Plan; and (VII) Granting Related Relief [Filed November 16, 2023, Docket No. [742](#)].
- d. **DSM-Firmenich's Reservation of Rights to the Debtors' Disclosure Statement Motion [Filed December 8, 2023, Docket No. [856](#)].**
- e. **Objection and Reservation of Rights of Ad Hoc Cross-Holder Group to Debtors' Motion for an Order (I) Approving the Disclosure Statement; (II) Scheduling Confirmation Hearing; (III) Approving Form and Manner of Notice of Confirmation Hearing; (IV) Establishing Procedures for Solicitation and Tabulation of Votes to Accept or Reject the Plan, (V) Approving Form and Manner of Notice of Plan Releases, (VI) Establishing Deadline and Procedures for Filing Objections to Confirmation of Plan; and (VII) Granting Related Relief [Filed December 8, 2023, Docket No. [860](#)].**

Reply:

- a. **Debtors' Omnibus Reply to Objections to Debtors' Motion for an Order (I) Approving the Disclosure Statement; (II) Scheduling Confirmation Hearing; (III) Approving Form and Manner of Notice of Confirmation Hearing; (IV) Establishing Procedures for Solicitation and Tabulation of Votes to Accept or Reject Plan, Including (A) Approving Form and Content of Solicitation Materials; (B) Establishing Record Date and Approving Procedures for Distribution**

of Solicitation Materials; (C) Approving Forms of Ballots; (D) Establishing Voting Deadline for Receipt of Ballots and (E) Approving Procedures for Vote Tabulations; (V) Approving Form and Manner of Notice of Plan Releases; (VI) Establishing Deadline and Procedures for Filing Objections to Confirmation of Plan; and (VII) Granting Related Relief [Filed December 11, 2023, Docket No. [869](#)].

Related Documents:

- a. Joint Chapter 11 Plan of Reorganization of Amyris, Inc. and its Affiliated Debtors [Filed October 12, 2023, Docket No. [523](#)].
- b. Disclosure Statement with Respect to Joint Chapter 11 Plan of Reorganization of Amyris, Inc. and its Affiliated Debtors [Filed October 12, 2023, Docket No. [524](#)].
- c. Affidavit of Service [Filed October 26, 2023, Docket No. [624](#)].
- d. First Supplemental Notice of Potential Assumption, Assumption and Assignment, or Transfer of Executory Contracts and Unexpired Leases [Filed December 1, 2023, Docket No. [807](#)].
- e. Notice of Filing Revised Order (I) Approving the Disclosure Statement; (II) Scheduling Confirmation Hearing; (III) Approving Form and Manner of Notice of Confirmation Hearing; (IV) Establishing Procedures for Solicitation and Tabulation of Votes to Accept or Reject Plan, Including (A) Approving Form and Content of Solicitation Materials; (B) Establishing Record Date and Approving Procedures for Distribution of Solicitation Materials; (C) Approving Forms of Ballots; (D) Establishing Voting Deadline for Receipt of Ballots and [E) Approving Procedures for Vote Tabulations; (V) Approving Form and Manner of Notice of Plan Releases; (VI) Establishing Deadline and Procedures for Filing Objections to Confirmation of Plan; and (VII) Granting Related Relief [Filed December 1, 2023, Docket No. [808](#)].
- f. Notice of Service Notice of Filing of Clean and Blackline Versions of: (A) First Amended Joint Chapter 11 Plan of Reorganization of Amyris, Inc. and Its Affiliated Debtors; and (B) First Amended Disclosure Statement With Respect to Joint Chapter 11 Plan of Reorganization of Amyris, Inc. and Its Affiliated Debtors [Filed December 1, 2023, Docket No. [809](#)].
- g. Notice of Service Notice of Filing of Clean and Blackline Versions of: (A) Second Amended Joint Chapter 11 Plan of Reorganization of Amyris, Inc. and Its Affiliated Debtors; and (B) Second Amended Disclosure Statement With Respect to Joint Chapter 11 Plan of Reorganization of Amyris, Inc. and Its Affiliated Debtors [Filed December 6, 2023, Docket No. [826](#)].
- h. Notice of Filing of Revised Order (I) Approving the Second Amended Disclosure Statement; (II) Scheduling Confirmation Hearing; (III) Approving Form and Manner of Notice of Confirmation Hearing; (IV) Establishing Procedures for Solicitation and Tabulation of Votes to Accept or Reject Plan, Including (A) Approving Form and Content of Solicitation Materials; (B) Establishing Record Date and Approving Procedures for Distribution of Solicitation Materials; (C) Approving Forms of Ballots; (D)

Establishing Voting Deadline for Receipt of Ballots and (E) Approving Procedures for Vote Tabulations; (V) Approving Form and Manner of Notice of Plan Releases; (VI) Establishing Deadline and Procedures for Filing Objections to Confirmation of Plan; and (VII) Granting Related Relief [Filed December 8, 2023, Docket No. [854](#)].

Status: This matter is going forward.

6. Debtors' Motion for Entry of an Order Establishing Confirmation Discovery Schedule and Protocols [Filed November 6, 2023, Docket No. [688](#)].

Response Deadline: November 14, 2023 at 4:00 p.m. [ET]. The response deadline has been extended to December 8, 2023. Replies are due by 12:00 p.m. [ET] on December 11, 2023.

Responses Received:

- a. Lavvan, Inc.'s Objection to Debtors' Motion to Establish Discovery Schedule and Protocols [Filed November 14, 2023, Docket No. [731](#)].
- b. **Objection and Reservation of Rights of Ad Hoc Cross-Holder Group to Debtors' Motion for an Order (I) Approving the Disclosure Statement; (II) Scheduling Confirmation Hearing; (III) Approving Form and Manner of Notice of Confirmation Hearing; (IV) Establishing Procedures for Solicitation and Tabulation of Votes to Accept or Reject the Plan, (V) Approving Form and Manner of Notice of Plan Releases, (VI) Establishing Deadline and Procedures for Filing Objections to Confirmation of Plan; and (VII) Granting Related Relief [Filed December 8, 2023, Docket No. [860](#)].**

Reply:

- a. **Debtors' Reply in Support of Motion for Entry of an Order Establishing Confirmation Discovery Schedule and Protocols [Filed December 11, 2023, Docket No. [865](#)].**

Related Documents:

- a. Affidavit of Service [Filed November 10, 2023, Docket No. [719](#)].

Status: This matter is going forward.

7. Motion for (I) an Order (A) Approving Bid Procedures for the Sale of the Debtors Brand Assets; (B) Approving Certain Bid Protections in Connection with the Debtors Entry into Any Potential Stalking Horse Agreements; (C) Scheduling the Auction and Sale Hearing; (D) Approving the Form and Manner of Notice Thereof; and [E] Granting Related Relief; and (II) An Order or Orders (A) Approving the Sale of the Debtors Brand Assets Free and Clear Of All Encumbrances; and (B) Approving the Assumption and Assignment of Executory Contracts and Unexpired Leases [Filed September 18, 2023, Docket No. [316](#)].

Response Deadline: December 5, 2023. The Response Deadline was extended to December 11, 2023 by Order entered December 4, 2023 [Docket No. [811](#)].

Responses Received:

- a. Statement and Reservation of Rights of the Official Committee of Unsecured Creditors to the Debtors' Motion for (I) an Order (A) Approving Bid Procedures for the Sale of the Debtors Brand Assets; (B) Approving Certain Bid Protections in Connection with the Debtors' Entry into Any Potential Stalking Horse Agreements; (C) Scheduling the Auction and Sale Hearing; (D) Approving the Form and Manner of Notice Thereof; and [E] Granting Related Relief; and (II) An Order or Orders (A) Approving the Sale of the Debtors Brand Assets Free and Clear Of All Encumbrances; and (B) Approving the Assumption and Assignment of Executory Contracts and Unexpired Leases [Filed October 12, 2023, Docket No. [516](#)].

Related Documents:

- a. [Signed] Order (A) Approving Bid Procedures for the Sale of the Debtors' Brand Assets; (B) Approving Certain Bid Protections In Connection with the Debtors' Entry Into Any Potential Stalking Horse Agreements; (C) Scheduling the Auction and Sale Hearing; (D) Approving the Form and Manner of Notice Thereof; and [E] Granting Related Relief [Filed October 16, 2023, Docket No. [553](#)].
- b. Notice of Extension of Certain Sale-Related Deadlines [Filed October 29, 2023, Docket No. [628](#)].
- c. Affidavit of Service [Filed November 10, 2023, Docket Nos. [718](#), [723](#), [739](#), [846](#)].
- d. Notice of Auction for the Debtors' Brand Assets [Filed November 27, 2023, Docket No. [785](#)].
- e. Notice of Adjourned Auction for the Debtors' Brand Assets [Filed November 28, 2023, Docket No. [788](#)].
- f. Notice of Successful Bidders and Auction Results for Sale of Certain Assets [Filed December 1, 2023, Docket No. [803](#)].
- g. Certification of Counsel Regarding Order Extending Certain Dates and Deadlines as to the Biossance, Menolabs, Pipette, and 4U Sales [Filed December 4, 2023, Docket No. [810](#)].
- h. Order Extending Certain Dates and Deadlines as to the Biossance, Menolabs, Pipette, and 4U Sales [Filed December 4, 2023, Docket No. [811](#)].
- i. Notice of Filing of Successful Bidder and Auction Results for Sale of MenoLabs Brand Assets [Filed December 5, 2023, Docket No. [823](#)].
- j. Notice of Filing of Successful Bidder and Auction Results for Sale of 4U Brand Assets [Filed December 5, 2023, Docket No. [824](#)].
- k. Notice of Filing of Successful Bidder and Auction Results for Sale of Biossance Brand Assets [Filed December 6, 2023, Docket No. [832](#)].

1. **Declaration of Lorie Beers in Support of Motion for (I) an Order (A) Approving Bid Procedures for the Sale of the Debtors Brand Assets; (B) Approving Certain Bid Protections in Connection with the Debtors Entry Into Any Potential Stalking Horse Agreements; (C) Scheduling the Auction and Sale Hearing; (D) Approving the Form and Manner of Notice Thereof; and (E) Granting Related Relief; and (II) An Order or Orders (A) Approving the Sale of the Debtors Brand Assets Free and Clear of All Encumbrances; and (B) Approving the Assumption and Assignment of Executory Contracts and Unexpired Leases [Filed December 10, 2023, Docket No. [862](#)].**
- m. **Limited Objection and Reservation of Rights of Lexon Insurance Company to the Debtors' Motion for an Order or Orders (A) Approving the Sale of Debtors' Brand Assets Free and Clear of All Encumbrances; and (B) Approving the Assumption and Assignment of Executory Contracts and Unexpired Leases [Filed December 11, 2023, Docket No. [863](#)].**
- i. **Debtors' Witness and Exhibits List for Hearing on December 12, 2023 at 10:00 a.m. (ET) [Filed December 11, 2023, Docket No. [866](#)].**

Status: This matter is going forward as to the proposed sales of Biossance, 4U by Tia, and MenoLabs.

STATUS CONFERENCE

8. [SEALED] Debtors' Objection to Claim Nos. 663 and 666 Filed by Lavvan, Inc. [Filed on December 6, 2023, Docket No. 839].
9. [SEALED] Motion to Estimate Lavvan Intellectual Property Claim [Filed on December 6, 2023, Docket No. 840].

Response Deadline: December 22, 2023 at 4:00 p.m. [ET].

Status: A status conference on the matter is going forward.

Dated: December 11, 2023

PACHULSKI STANG ZIEHL & JONES LLP

/s/ James E. O'Neill

Richard M. Pachulski (admitted *pro hac vice*)

Debra I. Grassgreen (admitted *pro hac vice*)

James E. O'Neill (DE Bar No. 4042]

Jason H. Rosell (admitted *pro hac vice*)

Steven W. Golden (DE Bar No. 6807]

919 N. Market Street, 17th Floor

P.O. Box 8705

Wilmington, DE 19899-8705 (Courier 19801]

Telephone: (302] 652-4100

Facsimile: (302] 652-4400

Email: rpachulski@pszjlaw.com

dgrassgreen@pszjlaw.com

joneill@pszjlaw.com

jrosell@pszjlaw.com

sgolden@pszjlaw.com

Counsel to the Debtors and Debtors in Possession